

FILED

MAR 02 2010

CLERK OF COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff

v.

LANH TRAN-TU,

Defendant

No. 09-70225 HRL

~~Proposed~~ **ORDER GRANTING
STIPULATED CONTINUANCE OF
PRELIMINARY HEARING**

Based on a stipulation by the parties, and for good cause shown, the parties' request for continuance in the preliminary hearing is GRANTED. The current date of Thursday, March 11, 2010, in VACATED. The matter is re-calendared for Thursday, April 1, 2010, at 9:30 a.m.

Also, based on the same stipulation, the court FINDS that the defendant, who is out of custody, has consented to extending the time for the preliminary hearing contained in Fed. R. Crim. P. 5.1(c) until April 1, 2010. The court further FINDS, based on facts in the stipulated motion, good cause exists, that good cause exists for the extension of time.

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1 The court further FINDS that the 30 day time limit between arrest and indictment
2 contained in 18 U.S.C. § 3161(b) has also been waived by the defendant until April 1, 2010.

3 IT IS SO ORDERED.

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7 Date:

March 2, 2010


HONORABLE PATRICIA V. TRUMBULL
United States Magistrate Judge